

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SHANNON MORLEY,

Plaintiff,

v.

SCOTT BAUM and SPOKANE
COUNTY JAIL,

Defendants,

NO: 2:20-CV-0012-TOR

ORDER DENYING LEAVE TO
PROCEED *IN FORMA PAUPERIS*
AND DISMISSING ACTION FOR
FAILURE TO PAY FILING FEE

By Order filed April 6, 2020, the Court directed Plaintiff, then a *pro se* pretrial detainee at Spokane County Detention Services, to show cause why his application to proceed *in forma pauperis* should not be denied under 28 U.S.C. § 1915(g). ECF No. 7. In the alternative, Plaintiff was granted the opportunity to pay the \$400.00 fee (\$350.00 filing fee, plus \$50.00 administrative fee), to commence this action. *Id.* Mail sent to Plaintiff at Spokane County Detention Services was returned as undeliverable on April 17, 2020, ECF No. 8, but re-sent to Plaintiff at the address he

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1 provided on April 29, 2020, after he filed a notice of change of address. ECF No. 9.

2 Plaintiff did not comply with the Court's directive and has filed nothing
3 further in this action. He has failed to overcome the preclusive effects of 28 U.S.C.
4 § 1915(g). *See Andrews v. Cervantes*, 493 F.3d 1047, 1055-56 (9th Cir. 2007)
5 (discussing imminent danger exception to three-strikes rule).

6 Therefore, **IT IS ORDERED:**

7 1. Plaintiff's application to proceed *in forma pauperis* is **DENIED**.

8 2. This action is **DISMISSED** for failure to pay the filing fee as required
9 by 28 U.S.C. § 1914.

10 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order,
11 enter judgment, forward a copy to Plaintiff at his last known address and close the
12 file. The Court certifies any appeal of this dismissal would not be taken in good
13 faith.

14 **DATED** May 29, 2020.



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A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE
Chief United States District Judge